



General Assembly

January Session, 2011

***Raised Bill No. 6227***

LCO No. 2461

\*02461\_\_\_\_\_KID\*

Referred to Committee on Select Committee on Children

Introduced by:  
(KID)

***AN ACT CONCERNING CHANGES TO THE GENERAL STATUTES  
CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-98a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 [(a)] The Department of Children and Families, in consultation with  
4 the Departments of Social Services, Mental Health and Addiction  
5 Services and Developmental Services, shall establish, within available  
6 appropriations, a kinship navigator program. Such program shall  
7 ensure that: (1) When the Department of Children and Families  
8 determines that it is in the best interest of the child to be placed with a  
9 relative for foster care, the department informs the relative regarding  
10 procedures to become licensed as a foster parent, and (2) grandparents  
11 and other relatives caring for a minor child are provided with  
12 information on the array of state services and benefits for which they  
13 may be eligible, including the subsidy program established pursuant  
14 to section 17a-126, as amended by this act. The Commissioner of  
15 Children and Families shall, within available appropriations, ensure  
16 that information on the array of services available under the kinship

17 navigator program is accessible through the 2-1-1 Infoline program.

18 [(b) Not later than January 1, 2008, and annually thereafter, the  
19 Commissioner of Children and Families shall report, in accordance  
20 with section 11-4a, on the implementation of the kinship navigator  
21 program to the joint standing committee of the General Assembly  
22 having cognizance of matters relating to human services.]

23 Sec. 2. Section 17a-6b of the general statutes is repealed and the  
24 following is substituted in lieu thereof (*Effective July 1, 2011*):

25 (a) The advisory group for the Connecticut Juvenile Training School,  
26 established pursuant to subsection (b) of section 17a-6, [and the  
27 Connecticut Juvenile Training School public safety committee,  
28 established pursuant to section 17a-27f,] shall provide an on-going  
29 review of the Connecticut Juvenile Training School with  
30 recommendations for improvement or enhancement. The review shall  
31 include, but not be limited to:

32 (1) The number, age, ethnicity and race of the residents placed at the  
33 training school, including the court locations that sentenced them, the  
34 number sentenced from each court location and the offenses for which  
35 they were sentenced;

36 (2) The percentage of residents in need of substance abuse treatment  
37 and the programming interventions provided to assist residents;

38 (3) A review of the program and policies of the facility;

39 (4) The educational and literacy programs available to the residents,  
40 including the educational level of residents, the number of residents  
41 requiring special education and related services, including school  
42 attendance requirements, the number of residents who are educated in  
43 the alternative school and the reasons for such education;

44 (5) The vocational training programs available to the residents and  
45 the actual number of residents enrolled in each training program,

46 including all vocational attendance requirements;

47 (6) The delinquency recidivism rates of such residents, which shall  
48 include the number of children discharged to residential placement,  
49 the number of children discharged due to expiration of the period of  
50 commitment and the number of children returned to the Connecticut  
51 Juvenile Training School;

52 (7) The diagnosis of each resident after intake assessment;

53 (8) The costs associated with the operation of the training school,  
54 including staffing costs and average cost per resident; [and]

55 (9) Reintegration strategies and plans to transition the residents to  
56 their home communities; and

57 (10) A review of safety and security issues that affect the host  
58 municipality.

59 (b) The Department of Children and Families shall serve as  
60 administrative staff of the advisory group referred to in subsection (a)  
61 of this section.

62 (c) Not later than February 4, 2004, and annually thereafter, the  
63 Commissioner of Children and Families shall report, in accordance  
64 with the provisions of section 11-4a, to the joint standing committees of  
65 the General Assembly having cognizance of matters relating to the  
66 judiciary and human services and to the select committee of the  
67 General Assembly having cognizance of matters relating to children  
68 with respect to the Connecticut Juvenile Training School.

69 (d) Each report required pursuant to subsection (c) of this section  
70 shall summarize the information and recommendations specified in  
71 subsection (a) of this section and shall also include such other  
72 information that the Department of Children and Families has  
73 identified as requiring immediate legislative action.

74       Sec. 3. Section 17a-101h of the general statutes is repealed and the  
75       following is substituted in lieu thereof (*Effective July 1, 2011*):

76       Notwithstanding any provision of the general statutes to the  
77       contrary, any person authorized to conduct an investigation of abuse  
78       or neglect shall coordinate investigatory activities in order to minimize  
79       the number of interviews of any child and share information with  
80       other persons authorized to conduct an investigation of child abuse or  
81       neglect, as appropriate. The commissioner shall obtain the consent of  
82       parents or guardians or other persons responsible for the care of the  
83       child to any interview with a child, except that such consent shall not  
84       be required when the department has reason to believe such parent or  
85       guardian or other person responsible for the care of the child or  
86       member of the child's household is the perpetrator of the alleged abuse  
87       or neglect. If consent is not required to conduct the interview, such  
88       interview shall be conducted in the presence of a disinterested adult  
89       unless immediate access to the child is necessary to protect the child  
90       from imminent risk of physical harm and a disinterested adult is not  
91       available after reasonable search.

92       Sec. 4. Section 17a-126 of the general statutes is repealed and the  
93       following is substituted in lieu thereof (*Effective July 1, 2011*):

94       (a) As used in this section, (1) "relative caregiver" means a person  
95       who is caring for a child related to such person because the parent of  
96       the child has died or become otherwise unable to care for the child for  
97       reasons that make reunification with the parent and adoption not  
98       viable options within the foreseeable future, and (2) "commissioner"  
99       means the Commissioner of Children and Families.

100       (b) The commissioner shall establish a program of subsidized  
101       guardianship for the benefit of children in foster care who have been  
102       living with relative caregivers, who are licensed foster care providers  
103       pursuant to section 17a-114, and who have been in foster care [or  
104       certified relative care] for not less than six consecutive months. A  
105       relative caregiver may request a guardianship subsidy from the

106 commissioner.

107 (c) If a relative caregiver who is receiving a guardianship subsidy  
108 for a related child is also caring for the child's sibling who is not  
109 related to the caregiver, the commissioner shall provide a  
110 guardianship subsidy to such relative caregiver [if the sibling has been  
111 in foster care for not less than eighteen months, and the commissioner  
112 shall, within available appropriations, provide a guardianship subsidy  
113 to such relative caregiver] in accordance with regulations adopted by  
114 the commissioner pursuant to subsection (e) of this section. For  
115 purposes of this subsection, "child's sibling" includes a stepbrother,  
116 stepsister, a half-brother or a half-sister.

117 (d) The commissioner shall provide the following subsidies under  
118 the subsidized guardianship program in accordance with this section  
119 and the regulations adopted pursuant to subsection (e) of this section:  
120 (1) A special-need subsidy, which shall be a lump sum payment for  
121 one-time expenses resulting from the assumption of care of the child  
122 and shall not exceed two thousand dollars; and (2) a medical subsidy  
123 comparable to the medical subsidy to children in the subsidized  
124 adoption program if the child lacks private health insurance. The  
125 subsidized guardianship program shall also provide a monthly  
126 subsidy on behalf of the child payable to the relative caregiver that is  
127 based on the circumstances of the relative caregiver and the needs of  
128 the child and shall not exceed the foster care maintenance payment  
129 that would have been paid on behalf of the child if the child had  
130 remained in licensed foster care.

131 (e) The commissioner shall adopt regulations, in accordance with  
132 chapter 54, implementing the subsidized guardianship program  
133 established under this section. Such regulations shall include all  
134 federal requirements necessary to maximize federal reimbursement  
135 available to the state, including, but not limited to, (1) eligibility for the  
136 program, (2) the maximum age at which a child is no longer eligible for  
137 a guardianship subsidy, including the maximum age, for purposes of

138 claiming federal reimbursement under Title IV-E of the Social Security  
139 Act, at which a child is no longer eligible for a guardianship subsidy,  
140 and (3) a procedure for determining the types and amounts of the  
141 subsidies.

142 (f) At a minimum, the guardianship subsidy provided under this  
143 section shall continue until the child reaches the age of eighteen or the  
144 age of twenty-one if such child is in full-time attendance at a secondary  
145 school, technical school or college or is in a state accredited job training  
146 program. Annually, the subsidized guardian shall submit to the  
147 commissioner a sworn statement that the child is still living with and  
148 receiving support from the guardian. The parent of any child receiving  
149 assistance through the subsidized guardianship program shall remain  
150 liable for the support of the child as required by the general statutes.

151 (g) A guardianship subsidy shall not be included in the calculation  
152 of household income in determining eligibility for benefits of the  
153 relative caregiver of the subsidized child or other persons living within  
154 the household of the relative caregiver.

155 (h) Payments for guardianship subsidies shall be made from  
156 moneys available from any source to the commissioner for child  
157 welfare purposes. The commissioner shall develop and implement a  
158 plan that: (1) Maximizes use of the subsidized guardianship program  
159 to decrease the number of children in the legal custody of the  
160 commissioner and to reduce the number of children who would  
161 otherwise be placed into nonrelative foster care when there is a family  
162 member willing to provide care; (2) maximizes federal reimbursement  
163 for the costs of the subsidized guardianship program, provided  
164 whatever federal maximization method is employed shall not result in  
165 the relative caregiver of a child being subject to work requirements as a  
166 condition of receipt of benefits for the child or the benefits restricted in  
167 time or scope other than as specified in subsection (c) of this section;  
168 and (3) ensures necessary transfers of funds between agencies and  
169 interagency coordination in program implementation. The

170 commissioner shall seek all federal waivers and reimbursement as are  
171 necessary and appropriate to implement this plan.

172 (i) In the case of the death, severe disability or serious illness of a  
173 relative caregiver who is receiving a guardianship subsidy, the  
174 commissioner may transfer the guardianship subsidy to a new relative  
175 caregiver who meets the Department of Children and Families foster  
176 care safety requirements and is appointed as legal guardian by a court  
177 of competent jurisdiction.

178 (j) Nothing in this section shall prohibit the commissioner from  
179 continuing to pay guardianship subsidies to those relative caregivers  
180 who entered into written subsidy agreements with the Department of  
181 Children and Families prior to October 5, 2009.

182 Sec. 5. Section 45a-709 of the general statutes is repealed and the  
183 following is substituted in lieu thereof (*Effective July 1, 2011*):

184 (a) Notwithstanding any provision of sections [17a-91,] 17a-112, 17a-  
185 113, 17a-148, 45a-187, 45a-606, 45a-607, 45a-706 to 45a-708, inclusive,  
186 45a-715 to 45a-718, inclusive, 45a-724, 45a-727, 45a-732 to 45a-734,  
187 inclusive, and 52-231a, to the contrary, any adoption completed after  
188 October 1, 1973, in which the application and agreement of adoption  
189 were received by the Court of Probate before October 1, 1973, shall be  
190 valid, provided the adoption would have been valid under the general  
191 statutes in effect on September 30, 1973.

192 (b) Applications for termination of parental rights, appointment of  
193 statutory parents or for adoptions or any actions taken in accordance  
194 with the applications which were received by the Court of Probate  
195 prior to May 10, 1974, shall be valid if they conform to the provisions  
196 of sections [17a-91,] 17a-112, 17a-148, 45a-606, 45a-706 to 45a-708,  
197 inclusive, 45a-715 to 45a-718, inclusive, 45a-724, 45a-727, 45a-731 to  
198 45a-734, inclusive, and 52-231a in effect on May 9, 1974.

199 Sec. 6. Sections 17a-22m, 17a-27f and 17a-91 of the general statutes

200 are repealed. (Effective July 1, 2011)

|   |              |                  |
|---|--------------|------------------|
| This act shall take effect as follows and shall amend the following sections: |              |                  |
| Section 1   | July 1, 2011 | 17a-98a          |
| Sec. 2  | July 1, 2011 | 17a-6b           |
| Sec. 3  | July 1, 2011 | 17a-101h         |
| Sec. 4  | July 1, 2011 | 17a-126          |
| Sec. 5  | July 1, 2011 | 45a-709          |
| Sec. 6  | July 1, 2011 | Repealer section |

**Statement of Purpose:**

To repeal statutes requiring annual reports regarding the Behavioral Health Partnership, the implementation of the kinship navigator program and the Department of Children and Families' central registry and monitoring system for children in the department's care, and to make technical changes to the general statutes regarding the department.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*